ORDINANCE NO. (2019) 38 ZC 786A

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Part 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

1. **Z-32-18 – South Saunders Planned Development**, various parcels (listed below) located directly south of Western Boulevard bordered by S. Saunders Street to the west, S. Dawson Street to the east and the intersection of those roads to the south. Approximately 9.15 acres are rezoned from Residential Mixed Use-3 and Industrial Mixed Use-3 (RX-3 and IX-3) to Planned Development (PD) with a 20-story height limit.

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</table>

**Conditions dated:** See attached Master Plan (MP-3-18) dated October 11, 2019.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If this ordinance or any application thereof is held invalid as to any person or application thereof, such invalidity shall not affect other provisions or applications of the
ordinances which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council following a recommendation of the Planning Commission.

Section 5. That this ordinance shall become effective as indicated below.

Adopted: December 3, 2019

Effective: December 3, 2019

Distribution: Planning
Inspections
City Attorney
Transcription Services – Taylor
S. Saunders
Planned Development (PD) District
Rezoning Z-32-18
MP-3-18
Transaction #572507

Developer: Merge Capital, LLC
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Phone Number: (919) 443-0262
Attention: Corey Mason
Email: corey@mergecap.com

Architect: LOHA/Lorcan O’Herlihy Architects
Address: 4106 West Jefferson Blvd Los Angeles CA 90016
Phone Number: (310) 657-4363
Attention: Ian Dickenson
Email: id@loharchitects.com

Civil Engineering: Wake Land Design, PLLC
Address: P.O. Box 418
Phone Number: (919) 889-2614
Attention: Jason Meadows, P.E.
Email: jason@wakelanddesign.com

Site Planning: Site Collaborative
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Phone Number: (919) 805-3586
Attention: Graham Smith
Email: graham@sitecollaborative.com

Attorney: Longleaf Law Partners
Address: 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607
Phone Number: (919) 645-4317
Attention: Michael Birch
Email: mbirch@longleaflp.com

Initial Submission: October 10, 2018
Second Submission: December 17, 2018
Third Submission: March 8, 2019
Fourth Submission: May 28, 2019
Fifth Submission: July 25, 2019
Sixth Submission: September 12, 2019
Seventh Submission: October 2, 2019
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Introduction

This document and the accompanying exhibits submitted herewith (collectively, the "Master Plan") are provided pursuant to provisions of the Unified Development Ordinance (the "UDO") for the Planned Development district ("PD") for S. Saunders, a mixed-use community (the "Development") proposed by Five Horizons LLC, (the “Developer”). This application is for a Concept Plan pursuant to the City of Raleigh Planned Development District Application Guide.

The Development is located just south of the downtown area and Western Boulevard and along the edge of Dix Park. The Master Plan proposes an urban, pedestrian-oriented, mixed-use development consisting of recreational, residential, office, commercial, retail, and industrial land uses at appropriate densities and with appropriate building heights given the Development’s proximity to downtown, existing and planned transit infrastructure, existing greenway access, and the nature of surrounding development.

Intent for PD Districts

The proposed Development meets the intent of the PD District set forth in UDO section 4.1.1.F. in several ways. First, the PD allows the Developer to address block perimeter for a site that is bounded by Rocky Branch Creek to the north and a controlled access street (South Dawson/McDowell Street) to the east. Second, the PD District allows the Developer to provide the City and the public greater transparency and certainty regarding the Development given its proximity to Dorothea Dix Park. Third, the PD District allows the Developer to modify certain UDO standards to better facilitate a more urban, pedestrian-oriented, mixed-use project than would otherwise be permitted without the modifications, all while ensuring adequate public and private infrastructure to serve the Development and the surrounding area.

Location and Context

The Master Plan concerns the approximately 9.15 acres of land within the triangular-shaped area bounded by S. Saunders Street to the west, South Dawson/McDowell Street to the east and Rocky Branch Creek to the north (the "Property"). For a graphic depiction of the area to be rezoned, please refer to the existing conditions exhibit submitted with this Master Plan (the “Existing Conditions”). The Property is currently occupied by various automotive and light industrial uses, which will be removed prior to development.

The property is separated from adjacent development by Rocky Branch Creek on the north and by public rights-of-way to the east and west. Across S. Saunders Street to the west are low-rise automotive and light industrial uses. To the east, across South Dawson/McDowell Street is Washington Elementary School and Mount Hope Cemetery. This is an area uniquely suitable for the land use intensities and building heights proposed by the Master Plan.
Design Narrative

A Southern Gateway

S. Saunders is located at the southern gateway to downtown Raleigh and is designed to frame the view of downtown and create a sense of arrival and welcome for traffic heading north to downtown through beautifully designed, bold and progressive buildings, especially at the southern point of the property.

Distinctive Identity

The Project will create a distinctive identity for the area. The Southern Gateway Corridor Study led by the Raleigh Urban Design Center highlights the site as the prime opportunity to create a ‘maker’/tech start-up district with a mix of industrial ‘chic’ warehouse conversions on the west side of S. Saunders and new buildings supporting a mix of residential, office, and service retail uses on the east side of S. Saunders. Proposed uses include retail, high density residential, and a programmable public event space that are intended to create a live-work-play community with opportunities for tech-start-up hub or anchor commercial tenants. The site will have a creative and design-oriented identity and sense of place where pedestrians take priority.

Nature in an Urban Location

The upcoming redevelopment of Dorothea Dix Park as a destination park will positively impact and transform the surrounding area by attracting residential, commercial and retail developments along its edges. While the park redevelopment will take 20+ years to be fully realized, the S. Saunders Project will provide a direct link to the park that can be activated in the near term. The greenway trail and Rocky Branch Creek, which run along the Property’s northern boundary, provide opportunities for public activation, with plans to create an active interface between the creek and the project architecture, activated by retail and restaurants.

Design Inspiration: Be Bold

The Project team is committed to the following four values as it plans and designs the project.

● Progressive: Forward-thinking, innovative and experimental combining intelligence with creativity and artisanship with audacity.

● Human: The intrinsic qualities and characteristics that define the human condition – curiosity, creativity and charisma combined with empathy and insight.

● Unique: Distinctive, creating experiences that are unique as well as memorable. Difference with a purpose. Eccentricity with a soul.

● Community: People make the place enduring. Long after the buildings have been built, the Project will create experiences and inspire memories.
These values underpin the experiences the site seeks to deliver to the community. They are non-negotiable and combine to form a distinctive identity for the site.

Additionally, the Project design is governed by the following concepts:

**Vibrant**
Passionate
Colorful
Lively
Optimistic

**Diverse**
Contrasting
Inclusive
Unifying

**Grounded**
Down to earth
Genuine
Authentic

**Curious**
Creative
Intriguing
Idiosyncratic
Surprising

**Design Strategy**

A proposed Development Plan (“Development Plan”) has been submitted with this Master Plan. It is intended to provide a general idea as to the development concept proposed by the Master Plan, but shall not be considered a literal depiction of the Development. Subject to open space areas and tree conservation areas, and the express limitations of this Master Plan, building dimensions (excluding heights) and orientation of structures to be built in the Development can be modified by the Developer.

The design for S. Saunders employs activated edges, strategic voids, and calibrated view corridors to create a collection of buildings that engage with local and distant contexts. Access is oriented towards the possible future eastern entrance to Dorothea Dix park to provide visual continuity across S. Saunders and into the site. The project enhances its edges at the Rocky Branch Creek greenway and the existing S. Saunders streetfront to create a gateway link for pedestrian, bike, and vehicular connection between downtown Raleigh and Dorothea Dix Park. Within the site, the massings stagger to create a diverse collection of public spaces at the ground level while providing each building views to both downtown and the park.

**Future Land Use Map/Current Zoning**

The subject property (the “Property”) is comprised of 20 individual parcels defined identified below:
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<tr>
<th>Pin</th>
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**Conformance with the Comprehensive Plan**

The primary Future Land Use Designation of the Property is Regional Mixed Use, with three of the parcels along the Rocky Branch Creek and the Rocky Branch Trail Greenway designated as Public Parks and Open Space.
Based on the Comprehensive Plan guidance below, PD with a base zoning of IX is an appropriate zoning district for the Property.

*The intent is to identify the major retail and service hubs that draw customers from across the city. These areas may include high-density housing, office development, hotels, and region-serving retail uses such as department stores and specialty stores. These areas would typically be zoned CX. Heights could be as tall as 12 to 20 stories in core locations, but should taper down to meet the context of surrounding development. As in other mixed-use areas, taller buildings should be accompanied by enhanced pedestrian amenities.* — *The 2030 Comprehensive Plan for the City of Raleigh, Page 34.*

Further:

*Core/Transit areas refer to areas located within the core of a mixed-use center of about 30 acres or more; within a quarter mile of a fixed-guideway transit stop; or fronting along a corridor programmed for high-capacity, frequent bus transit. In employment areas, taller buildings may also be contemplated on large sites with adequate buffers from low-scale areas, such as Highwoods.*

The Master Plan conforms with the Comprehensive Plan as it proposes a PD district with a base district of IX, which permits a variety of uses, including residential, office, commercial, retail, lodging and industrial. Additionally, the Development is within a Core/Transit area given the existing 15-minute bus service along S. Saunders, the designation of South Dawson/McDowell Street as a transit emphasis corridor, and the designation of the Property as an employment area in the Southern Gateway Area Plan. Based on the Regional Mixed Use designation and Core/Transit designation, the proposed maximum building height of 20 stories is consistent with Table LU-2 Recommended Height Designations in the Comprehensive Plan.

The Comprehensive Plan also designates the Property as a Priority Area for Economic Development, which encourages mixed use development in commercial corridors.

The Master Plan is consistent with the Southern Gateway Area Plan policies, including the designation of S. Saunders Street as a Main Street with parallel parking and the suggestion of a mix of uses adjacent to Dorothea Dix Park.

The Development embraces the planning concepts identified in the Old Saunders Focus Area. The Master Plan capitalizes on the new Dorothea Dix Park by creating an active main street along S. Saunders Street and an appealing activity hub at the intersection of S. Saunders Street and the Rocky Branch Creek targeted to park visitors. The S. Saunders project creates high-quality event/plaza spaces in its core and provides spaces designed to accommodate
entrepreneurial startup businesses and makers. New development within the Project will borrow design cues from existing warehouses. In keeping with the Main Street character of S. Saunders Street, buildings will be placed close to the street with no parking between the lot line and building facade. The building design along S. Saunders Street will accommodate ground floor retail. The project will include a range of unit types that will complement the existing and developing neighborhoods.

The Development has been designed to accommodate the intersection reconfigurations proposed in the Southern Gateway Corridor Study at both Lake Wheeler Road and S. Saunders Street and S. Saunders Street and Hammel Drive, Dawson/McDowell Streets.

**Consistency with UDO Section 4.7.5. General Design Principles**

A. *When at least 20 residential units are proposed, the project includes a variety of housing stock that serves a range of incomes and age groups, and may include detached houses, attached houses, townhouses, apartments and dwelling units above first floor commercial spaces.*

The Project includes a variety of housing types and sizes including studios, one-, two- and three-bedroom units and offers rental and ownership opportunities, as well as live-work and co-living spaces.

B. *Uses are compact and well-integrated, rather than widely separated and buffered.*

The Project is intentionally designed to be compact and well-integrated, with a focus on encouraging social interaction and meeting local community needs.

C. *Compatibility among different uses is achieved through effective site planning and architectural design.*

The Project supports an active, public ground level with a mix of office, retail, and dining spaces with a focus on a comfortable and diverse pedestrian experience. Above, the Project provides ample light and views for residential uses.

D. *A variety of business types are accommodated, from retail and professional offices to live-work. Office uses vary from space for home occupations to conventional office buildings. Retail uses range from corner stores to larger format supermarkets.*

The Project includes a well-curated range of commercial uses including: pop-up office and restaurant, startup office, general retail, craft industrial, sit-down restaurants, cafes, typical
office and coworking spaces. This variety will add to the vibrancy and diversity of the neighborhood and Raleigh.

E. **Special sites, such as those at a terminated vista, are reserved for public or civic buildings and spaces that serve as symbols of the community, enhancing community identity.**

The project is designed to orient to the Rocky Branch Creek and greenway and is organized around public plazas and other smaller open spaces.

F. **The project includes a variety of street types designed to be accessible to the pedestrian, bicycle and automobile. Streets are connected in a way that encourages walking and reduces the number and length of automobile trips.**

The Project provides a network of pedestrian walkways that offer pedestrians and bikers access through the project independent of vehicular traffic. These pedestrian walkways are oriented towards Dorothea Dix and connect to the greenway network to support pedestrian access to and from the site.

G. **Bicycle circulation is accommodated on streets and on dedicated bicycle paths, greenways or trails with adequate bicycle parking facilities being provided at appropriate locations.**

The Project will provide appropriate covered and outdoor bike parking facilities and support the Main Street roadway development of S. Saunders. Direct bike access from the Rocky Branch greenway trails will be provided at the north end of the site.

H. **Building facades spatially delineate the streets and civic spaces, and mask parking lots.**

Parking facilities will be underground or appropriately screened from streets and public spaces. Uses with high openness and permeability frame public spaces to encourage gathering and social activities.

I. **Architecture and landscape design are based on the local climate, topography, history and building practice.**

The Project steps with the natural topography of the site. The building massings have been calibrated to maximize light and views across the site and create comfortable outdoor spaces.

J. **The project includes open space as a significant element of the project’s design. Formal and informal, active and passive open spaces are included. Open spaces may include, but
are not limited to, squares, plazas, greens, preserves, farmer’s markets, greenways and parks.

The project is designed to orient to the Rocky Branch Creek and greenway and is organized around public plazas and other smaller open spaces. Each pod within the development has its own unique open space feature. Pod A contains the Creekfront Promenade, Pod B contains the Skyline Viewing Plaza, Pod C contains the Outdoor Event Space, and POD D is dedicated exclusively to open space along Rocky Branch Creek.

K. The project is compatibility integrated into established adjacent areas, and considers existing development patterns, scale and use.

The Project links the warehouse context of S. Saunders to nearby downtown Raleigh by providing a low, active ground level of maker-spaces and public programs.

L. The project is a clearly identifiable or legible place with a unique character or unique tradition.

The Project will provide Raleigh with a scale of unique public areas and outdoor experiences to create a site character that is distinct from both downtown Raleigh and Dorothea Dix Park.

M. Public art, including but not limited to, monuments, sculpture and water features, is encouraged.

The Project offers several prominent public spaces designed to support public art as both a landmark and a place-making device. Public art will be provided at key points and specifically at proposed open space at the north end of the Rocky Branch creek on the Property. Additionally, the developer will work with the City on a public art project in or around the development.

N. Entertainment facilities, including but not limited to, live music venues and theatres, are encouraged.

The Development will provide public event space at its core, along with encouraging smaller entertainment opportunities within its restaurants.

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<th>Base District Zoning</th>
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The base district for this Planned Development is the Industrial Mixed Use (IX) district. All principal and accessory land uses permitted in the IX district shall be permitted except as otherwise prohibited by this Master Plan. All references to "retail" uses, as reflected in the Pod descriptions below and elsewhere in this Master Plan, shall include all commercial uses (as that
term is used in the UDO), excluding office and hotel uses, which shall be treated separately for purposes of this Master Plan.

If any standard is not specifically modified by the Master Plan, the UDO standard shall apply.

**Prohibited Uses**

The following uses allowed in the IX zone shall be prohibited:

- Car Wash
- Vehicle Repair
- Gas Station
- Freight & Service Facility
- Trailer Storage and Drop Off Lot
- Bus Barn
- Trucking Operation
- Truck or Motor Freight Terminal Facility
- Pawn shops
- Adult establishments

**Land Use Intensity**

Tract sizes, general building locations, and maximum building heights are shown on the Development Plan submitted with this Master Plan. The maximum development intensity for each Pod is shown on Development Plan sheet PD-02 and set forth below.

As used below, the following terms shall be defined as follows:

- ‘Industrial’ means all uses allowed in the IX zoning district under the ‘Industrial’ land use category as listed in UDO section 6.1.4.
- ‘Office’ means the ‘office’ and ‘medical’ land uses allowed in the IX zoning district as listed in UDO section 6.1.4.
- ‘Retail’ means all land uses under the ‘Commercial’ land use category other than ‘office’ and ‘medical’ land uses that are permitted in the IX district as listed in UDO section 6.1.4.
- All nonresidential land uses permitted in the IX district that (i) are not prohibited by the “Prohibited Uses” section of this Master Plan, (ii) are not “Industrial”, “Office” or “Retail” uses as defined above, and (iii) are not overnight lodging uses (which are regulated by lodging units) may be counted against the ‘Office/Industrial’ or ‘Retail’ floor area allocations at the discretion of the developer.

This section shall not act as a prohibition on specific land uses not otherwise prohibited by the ‘Prohibited Uses’ section of this Master Plan.
Pod A

1. Uses and Density:
   A. Nonresidential square footage: 700,000 SF Office/Industrial, 167,000 SF Retail, 150 Lodging Units
   B. Dwelling units: 510 Dwelling Units
   C. Recreational/open space uses within Open Lots.

2. Building Height - 20 stories maximum

3. Intensity by Building Type
   A. Mixed Use Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 510 Dwelling Units, 150 Lodging Units
   B. General Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 150 Lodging Units

Pod B

1. Uses and Density:
   A. Nonresidential square footage: 700,000 SF Office/Industrial, 167,000 SF Retail, 240 Lodging Units.
   B. Dwelling units: 510 dwelling units.
   C. Recreational/open space uses within Open Lots.

2. Building Height - 18 stories maximum

3. Intensity by Building Type
   A. Mixed Use Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 510 Dwelling Units, 240 Lodging Units
   B. General Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 240 Lodging Units

Pod C

1. Uses and Density:
   A. Nonresidential square footage: 700,000 SF Office/Industrial, 167,000 SF Retail, 240 Lodging Units.
   B. Dwelling units: 510 dwelling units.
   C. Recreational/open space uses within Open Lots

2. Building Height - 20 stories maximum
3. Intensity by Building Type
   A. Mixed Use Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 510 Dwelling Units, 240 Lodging Units
   B. General Building: 700,000 SF Office/Industrial, 167,000 SF Retail, 240 Lodging Units

**Pod D**

1. Uses and Density - Open Space and Recreational uses
2. Building Height - 15 feet maximum
3. Building Types - Civic Building and Open Lot

**Overall Maximum Development Intensity**

The total amount of development on the Property shall not exceed the intensities for each use as set forth below:

1. Office/Industrial – 1,042,600 SF, which can be located in General and Mixed Use building types.
2. Retail – 312,500 SF, which can be located in General and Mixed Use building types.
3. Lodging Units - 382 lodging units, which can be located in Mixed Use building types.
4. Residential Dwelling Units - 975 dwelling units, which can be located in General and Mixed Use building types.
5. No more than 50% of the Office/Industrial may be Industrial.

**Housing Variation**

At least 5% of the dwelling units constructed on the property shall be no larger than 550 square feet in gross floor area.

**Protective Yards**

**Transitional Protective Yards.**

No Transitional Protective Yards shall be required.

**Street Protective Yards.**

No Street Protective Yards shall be required.
Building Setbacks and Standards

Within the Development, the minimum building and parking setbacks shall be 0 (zero) feet, subject to those additional standards in the UDO Modifications section of this Master Plan. However, the width of the tree conservation area plus a minimum of five feet along Dawson Street shall serve as a building setback and parking setback from Dawson Street. No building shall be located within a sight distance triangle easement. This modifies Sections 3.2.5 B and 3.2.6 B.

There shall be a build-to range along S Saunders of 0’-20’, with a minimum building width in build-to range of 40%, which shall be applied within the bounds of the scope of any Administrative Site Review with frontage along South Saunders Street. Otherwise, there shall be no build-to requirements within the Development.

No surface parking area shall be located between the building and right-of-way of S. Saunders.

The ground story of structured parking must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and the public sidewalk along S Saunders Street.

Each building fronting along S Saunders shall have at least one entrance facing S Saunders that complies with UDO section 1.5.8. For a building that has a length greater than 150 feet along S Saunders, one additional entrance facing S Saunders that complies with UDO section 1.5.8. shall be provided.

There shall be a difference of at least 2 stories in height between the tallest building at shortest building within in Pod.

When there is more than one tower (building or portion of a building) greater than 7 stories in height in a Pod, there shall be at least 30 feet of separation between those portions of buildings greater than 7 stories in height within the same Pod.

Outdoor amenity areas will be provided within each Pod for the healthy enjoyment of occupants, invitees and guests of the development, along with providing visual breaks, as required by the UDO; however, Sections 3.2.5 A3 and 3.2.6 A3 shall be modified to allow the 10% of outdoor amenity area to be provided within each Pod rather than on building basis.

Section 3.2.6.E2 shall be modified to reduce the minimum ground story height of mixed use buildings to 11’.

Regarding building materials, EIFS is prohibited below the roof line.
**Phasing**

The Project will be developed in phases primarily determined by market and site conditions. As shown in the Master plan, it is currently anticipated that Pod A will be constructed as the first phase, Pod B will be constructed as the second phase, and Pod C will be constructed as the third phase. The internal road and water and sewer infrastructure identified will be constructed with Phase 1. Pod D improvements will be constructed with Pod A.

The applicant reserves the right to start construction of any of the phases prior to the completion of construction of a prior phase, if market conditions warrant, provided that the necessary infrastructure is in place to serve the phase. Each phase is expected to take 24-36 months for construction.

**Transparency**

As applied to those portions of a building with a non-residential use where transparency is required by the UDO, the transparency standard shall be 33% on the ground floor. Additionally, the transparency standard shall be 50% on the ground floor for those sides of buildings facing S Saunders Street.

**Open Space**

Open space will be a significant element in the project’s design. The Development anticipates exceeding 10% open space per the standards contained in Article 2.5, and as shown on sheet PD-04. Formal and informal open space will be provided and will include a public promenade along Rocky Branch Creek, pedestrian promenades within the project, plazas, skyline viewing plaza and amphitheater, and outdoor event spaces. Open space totals may be shifted or reallocated among pods within the Development.

**Tree Conservation**

As shown on plan sheet PD-09, a minimum of 10% tree conservation will be provided. The Tree Conservation standards set forth in Article 9.1 of the UDO shall be applied to the Property as a whole rather than on a Pod-by-Pod basis. Tree conservation search areas shown on PD-09 indicate where tree conservation is anticipated, but dedication of tree conservation area is governed by UDO Article 9.1.
Parking

Parking will be provided as follows:
- A minimum of one parking space is required per dwelling unit.
- No vehicle parking is required for the first 16 dwelling units.
- One parking space per 500 square feet is required for all nonresidential gross floor area or the minimum number of parking spaces set forth in Sec. 7.1.2.C., whichever is less.
- No vehicle parking is required for the first 10,000 square feet of gross floor area of any nonresidential use.
- No vehicle parking is required for the following uses and use categories up to 30,000 square feet of gross floor area provided when at least 25% of the ground floor of the building is devoted to such uses:
  - Indoor recreation;
  - Personal service;
  - Restaurant;
  - Retail sales; and
  - Banks.
- No combination of the above shall exceed 30,000 exempted square feet of gross floor area.
- No parking is required for an indoor movie theater.
- Parking for overnight lodging requires only one-half of the amount specified in Sec. 7.1.2. Required Parking.

The project may also utilize parking administrative alternates and parking reductions as permitted by the UDO.

At the conclusion of the development, parking will be located primarily below grade or within structured parking, although parking may be provided adjacent to the internal road as on-street parking or in limited areas as building drop-off areas. However, during buildout, temporary surface parking may be used to accommodate development of the Master Plan.

Parking Structure Screening

The ground story of structured parking must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and the public sidewalk along S Saunders Street.

Where upper stories of structured parking are located at the perimeter of a building, architectural and vegetative screens must be used to articulate the facade, hide parked vehicles and shield lighting. In addition, the ground floor facade treatment (building materials, windows and architectural detailing) shall be continued on upper stories.

Upper stories of parking structure facades shall be designed with both vertical (facade rhythm of 20 feet to 30 feet) and horizontal articulation (aligning with horizontal elements along the block).
### Street Types and Sidewalk Widths

<table>
<thead>
<tr>
<th>S. Saunders Street (Main Street with Parallel Parking, No UDO Modification)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Right-of-way width</td>
<td>73’</td>
</tr>
<tr>
<td>Back-of-curb to back-of-curb</td>
<td>41’</td>
</tr>
<tr>
<td>Sidewalk</td>
<td>10’</td>
</tr>
<tr>
<td>Planting area</td>
<td>6’</td>
</tr>
<tr>
<td>Parallel parking lane</td>
<td>8.5’</td>
</tr>
<tr>
<td>Travel lane</td>
<td>12’</td>
</tr>
<tr>
<td>Walkway type</td>
<td>Sidewalk</td>
</tr>
<tr>
<td>Planting type</td>
<td>Tree grate</td>
</tr>
<tr>
<td>Tree spacing</td>
<td>40' o.c. avg.</td>
</tr>
<tr>
<td>Parking type</td>
<td>Parallel</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Interior Street A (UDO Modification)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Right-of-way width</td>
<td>51’</td>
</tr>
<tr>
<td>Back-of-curb to back-of-curb</td>
<td>30’</td>
</tr>
<tr>
<td>Mixed Use Sidewalk with Tree Grates</td>
<td>10’6”</td>
</tr>
<tr>
<td>Turning Lane</td>
<td>10’</td>
</tr>
<tr>
<td>Travel Lane</td>
<td>10’</td>
</tr>
<tr>
<td>Travel Lane Bike Share Lane</td>
<td>10’</td>
</tr>
<tr>
<td>Walkway type</td>
<td>Sidewalk</td>
</tr>
</tbody>
</table>
At least 51% of the linear footage of the interior streets will provide a sidewalk and planting area measuring a total of 16 feet in width from the back-of-curb. At least 10’ 6” of the sidewalk and planting area will be within the public right-of-way, and any portion of the sidewalk and planting area beyond that point and used to satisfy this requirement will be within a public access easement.

**Block Perimeter**

Steep slopes, a freeway, waterways, tree conservation areas and stream buffers all exist within and adjacent to the project. Accordingly, block perimeter standards shall be satisfied for the development based upon the existing and proposed public street network. Block perimeter distances are shown on sheet PD-03.

**Traffic Impacts**

Please refer to the Traffic Impact Analysis submitted with this Master Plan and incorporated herein.
**Location of Proposed Roadway Connections**

Please refer to the Street and Block Plan submitted on sheet PD-03 of the Master Plan. An Access Point or Driveway is defined as a point of ingress and egress which may be a private driveway or public or private street. Separated points of ingress and egress are considered a single Access Point or Driveway when serving the same destination. The Applicant reserves the right to relocate and/or re-designate all public and private rights-of-way and Access Points shown on the Preliminary Circulation Plan, subject to the approval of the City of Raleigh Department of Transportation, Planning Department and Development Services Department.

Subject to the approval by the City of Raleigh, the Applicant reserves the right to increase or decrease the number of Access Points to the public street system shown on the Preliminary Street and Block Plan. Any additional access points shall meet the minimum spacing requirements of the UDO.

**Lake Wheeler Road and South Saunders Intersection**

The Applicant will dedicate the land area necessary to construct the improvements to Lake Wheeler and S Saunders intersection, as identified on sheet PD-02. The location and extent of right-of-way dedication shall be determined as part of the first development plan for Pod A. A preliminary layout of the intersection is attached as Exhibit A.

**Public Access Easement Along Rocky Branch Creek**

UDO 8.6.1 requires dedication of a 75'-wide City of Raleigh Greenway Easement measured from the top-of-bank of Rocky Branch Creek. Any modification of this dedication requirement and any proposed encroachments into the easement area as described in this master plan (such as the proposed bike/pedestrian path and proposed creekside promenade) will be subject to review and approval by the Parks, Recreation and Cultural Resources Department at the time of greenway easement dedication. The Developer anticipates requesting modifications to the width of the greenway easement area and encroachments in to the greenway easement area.

A 10’ wide public access easement is proposed along the south side of Rocky Branch Creek. This will enhance pedestrian and bicycle access along Rocky Branch Creek, to the existing greenway and new internal public road.

Additionally, at least one bicycle repair station shall be located within each of Pod A, Pod B & Pod C.
Public Utilities

All public water and sewer facilities are available to the Development. The location of public water and sewer mains are shown on the preliminary utility plan shown on sheet PD-07 of the Master Plan.

Stormwater Management

Stormwater management facilities will be shown during preliminary development plan review. Stormwater management plan will be compliant with UDO Article 9.2 and UDO Article 9.3. Compliance with UDO Article 9.4 will be shown during concurrent review.

Solid Waste

Design and operations of solid waste facilities will comply with the City of Raleigh Solid Waste Collection Design Manual. Dumpsters will be located within buildings.

Brownfields/Hazardous Conditions

The South Saunders Street Redevelopment Project will encompass up to 20 parcels, several of which have known or suspected environmental contamination from historic uses such as auto service and body shops, gas stations, a dry cleaner, etc. These are called Brownfield Sites. Phase I Environmental Site Assessments have been completed on these parcels as part of due diligence prior to purchase. The presence of actual or suspected contamination does not preclude the redevelopment of property as long as future site use doesn’t expose users to contamination. The State of North Carolina Department of Environmental Quality has a Brownfields Program that allows, and actually encourages developers to redevelop underutilized and contaminated properties.

The North Carolina Brownfields Program has been helping to bring jobs, increasing the tax base of local jurisdictions, and driving other public benefits across North Carolina since it was authorized in 1997 by the Brownfields Property Reuse Act (NCGS §130A-310.30 - §130A-310.40. This unique program, funded by U.S. EPA Brownfields funds and private fees from voluntary prospective developers, provides an approach to safely redevelop known or suspected contaminated properties, using a legal contract, the Brownfields Agreement (BFA) between the State of North Carolina’s Department of Environmental Quality (DEQ)’s Division of Waste Management (DWM) and the developer. The BFA documents site facts and contaminant conditions at a Brownfields Property, outlines the appropriate combination of actions and land use restrictions for a specific type of reuse, and provides environmental liability protection in the form of a covenant-not-to-sue from the State of North Carolina as long as the terms of the BFA are abided by. Qualifying improvements on Brownfields Properties are also eligible for a partial tax exclusion, which can offset the costs of assessment, and if necessary, mitigation.
S. Saunders has been deemed eligible for the Brownfields Program, including environmental liability protection and partial tax exclusion pending finalization of a Brownfield Agreement with the State of North Carolina.

[UDO Modifications Section Follows on Next Page]
### UDO Modifications

Pursuant to Section 4.7.2 the following UDO provisions are modified as shown below:

<table>
<thead>
<tr>
<th>Article/Section</th>
<th>UDO Requirement</th>
<th>Modification</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.5</td>
<td>General Building</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A3 - outdoor amenity area min - 10%</td>
<td>Amenity area will be provided that is equal to 10% of the Pod rather than based on individual building</td>
<td>Providing outdoor amenity area on a pod-by-pod basis will facilitate more efficient provision of such amenity area while maintaining the same amount of required amenity area.</td>
</tr>
<tr>
<td>B. Building Structure Setbacks</td>
<td>B1 - from primary street - 5’</td>
<td>Setbacks are 0’ on all sides; except for along Dawson Street, the building setback shall equal the width of the tree conservation area plus a minimum of an additional five feet.</td>
<td>This modification is justified because it allows for a more urban rhythm along S. Saunders as recommended by the Southern Gateway plan. Also, building code requirements for building separation and site constraints such as the internal public street, tree conservation and outdoor amenity areas ensure appropriate building setbacks while preserving flexibility to engage in higher quality design.</td>
</tr>
<tr>
<td></td>
<td>B2 - from side street - 5’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B3 - from side lot line - 0’ or 6’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B4 - from rear lot line - 0’ or 6’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B4 - from alley - 5’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Parking Setbacks</td>
<td>C1 - from primary street (min) -10’</td>
<td>Setbacks for parking areas within a structure or building are 0’ on all sides, except for along Dawson Street, the parking setback shall equal the width of the tree conservation area plus a minimum of an additional five feet. This modification does not apply to surface parking areas.</td>
<td>This modification is justified in this case given the public street section of the internal street, which separates parking from the street by providing a minimum 10’-6” streetscape width. Additionally, the master plan includes provisions that screen parking from Dawson Street and prohibit surface parking between buildings and</td>
</tr>
<tr>
<td></td>
<td>C2 - from side street (min) – 10’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C3 - from side lot line (min) - 0’or 3’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C4 - from rear lot line (min) - 0’ or 3’</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C4 - from alley (min) - 5’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.2.6</td>
<td>Mixed Use Building</td>
<td></td>
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<td>-------</td>
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<td></td>
</tr>
<tr>
<td>B4 - from alley - 5'</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>F. Transparency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>F1 - Ground story (min) - 20%</td>
<td>Ground story transparency shall not be required on those building elevations fronting along Dawson Street in Pod C.</td>
</tr>
<tr>
<td>F2 - Upper story (min) - 20%</td>
<td></td>
</tr>
<tr>
<td>F3 - Blank wall area (max) - 20'</td>
<td>There is tree conservation area required along Dawson Street, so there is no opportunity for pedestrian interaction along Dawson Street in Pod C.</td>
</tr>
</tbody>
</table>

This modification is justified because it allows for a more urban rhythm along S. Saunders as recommended by the Southern Gateway plan. Also, building code requirements for building separation and site constraints such as the internal public street, tree conservation and outdoor amenity areas ensure appropriate building setbacks while preserving flexibility to engage in higher quality design.
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<th>This modification is justified in this case given the public street section of the internal street, which separates parking from the street by providing a minimum 10’-6” streetscape width. Additionally, the master plan includes provisions that screen parking from Dawson Street and prohibit surface parking between buildings and the road along S Saunders Street, consistent with the intent of the parking setback.</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1 – from primary street (min) -10’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C2 – from side street (min) – 10’</td>
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<td></td>
</tr>
<tr>
<td>C4 – from alley (min) – 5’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Floor Heights</td>
<td>Ground story height, floor to floor (min) – 11’</td>
<td>This allows a more appropriate ground story height for certain types of maker-space uses that may occur on the ground floor.</td>
</tr>
<tr>
<td>E2 Ground story height, floor to floor (min) – 13’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F. Transparency</td>
<td>Ground story transparency shall not be required on those building elevations fronting along Dawson Street in Pod C. The ground level transparency standard shall be 33%, except for those sides of buildings fronting along S Saunders, in which case the ground level transparency standard is 50%.</td>
<td>There is tree conservation area required along Dawson Street, so there is no opportunity for pedestrian interaction along Dawson Street in Pod C.</td>
</tr>
<tr>
<td>F1 - Ground story (min) - 50%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F2 - Upper story (min) - 20%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F3 - Blank wall area (max) - 20’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.1</td>
<td>Parking shall be provided as follows:</td>
<td>These parking standards allow for the development to take advantage of the standards applicable to property located within the downtown area, which is appropriate for this site given its proximity to downtown and access to existing and future transit service.</td>
</tr>
<tr>
<td>Parking</td>
<td></td>
<td></td>
</tr>
<tr>
<td>o A minimum of one parking space is required per dwelling unit.</td>
<td></td>
<td></td>
</tr>
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<td>o No vehicle parking is required for the first 16 dwelling units.</td>
<td></td>
<td></td>
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<tr>
<td>o One parking space per 500 square feet is required for</td>
<td></td>
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</tr>
</tbody>
</table>

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**23 I S. Saunders**  
Rezoning Case Z-32-18  
MP-3-18  
Transaction #572507
all nonresidential gross floor area or the minimum number of parking spaces set forth in Sec. 7.1.2.C., whichever is less.

- No vehicle parking is required for the first 10,000 square feet of gross floor area of any nonresidential use.

- No vehicle parking is required for the following uses and use categories up to 30,000 square feet of gross floor area provided when at least 25% of the ground floor of the building is devoted to such uses:
  - Indoor recreation;
  - Personal service;
  - Restaurant;
  - Retail sales; and
  - Banks.

- No combination of the above shall exceed 30,000 exempted square feet of gross floor area.

- No parking is required for an indoor movie theater.

- Parking for overnight lodging requires only one-half of the amount specified in Sec. 7.1.2. Required Parking.

The applicant shall be permitted to pursue parking reductions pursuant to UDO Section 7.1.5 at Administrative Site Review.
| 8.4 | Streets | Alternate street sections are allowed as shown on Sheet PD-03 and as described above. | The alternate street sections provide for a more urban environment internal to the development. |
1. There shall be no build-to requirements within the development, except for South Saunders. Inside the build-to range shall be up to 20% with a building coverage standard of 40% within the build-to range. Additionally, no surface parking area shall be located between the building and right-of-way of S. Saunders.

2. Tree conservation areas are depicted in concept only and are subject to change based on final layout and environmental determinations. The amount of required and provided tree conservation may differ from that shown on this plan based upon a yet to be determined amount of future right-of-way to be dedicated.
NOTES:

1. SHOWN ENVIRONMENTAL FEATURES ARE SUBJECT TO FINAL LOCATION AND JURISDICTIONAL REVIEW TO BE PERFORMED AT TIME OF PERMITTING.

2. SHOWN EXISTING UTILITY INFRASTRUCTURE BASED ON READY AVAILABLE INFORMATION SOURCES. SUPPLEMENTAL SURVEY - FINAL LOCATIONS AND SIZES TO BE CONFIRMED DURING SITE PERMITTING.

3. PROPOSED WATER AND SANITARY MAIN LOCATIONS SUBJECT TO CHANGE AT TIME OF PERMITTING.

4. STORMWATER MANAGEMENT PLAN WILL BE COMPLIANT WITH UDO 9.2 AND 9.3 AND PROVIDED DURING PRELIMINARY REVIEW. COMPLIANCE WITH UDO 9.4 WILL BE SHOWN DURING CONCURRENT REVIEW.
PHASING NOTES:

1. IT IS ANTICIPATED THAT POD A WILL BE CONSTRUCTED AS THE FIRST PHASE, POD B WILL BE CONSTRUCTED AS THE SECOND PHASE, AND POD C WILL BE CONSTRUCTED AS THE THIRD PHASE. HOWEVER, SHOULD MARKET CONDITIONS WARRANT THIS ORDER MAY CHANGE.

2. THE INTERNAL ROAD AND WATER AND SEWER INFRASTRUCTURE IDENTIFIED ON SHEET PD-05 WILL BE CONSTRUCTED WITH THE FIRST PHASE.

3. POD D IMPROVEMENTS WILL BE CONSTRUCTED WITH POD A.
SOUTH DAWSON/MCDOWELL STREET

(US HWY 70) VARIABLE WIDTH
CONTROLLED ACCESS
RIGHT-OF-WAY

LAKE WHEELER ROAD
WESTERN BOULEVARD
S. SAUNDERS ST.

VARIABLE WIDTH PUBLIC RIGHT OF WAY
NCDOT PROJECT 8.2433103
NEW INTERNAL PUBLIC STREET

20'-0" SEWER EASEMENT

713'-9" THOROUGHFARE FRONTAGE
(644'-9" USED FOR TCA CALCULATIONS DUE TO EXCLUSIONS)

29'-0" (EXCLUDED)
30'-0" FROM TOP OF BANK
20'-0" (EXCLUDED)
30'-0" PROPOSED PEDESTRIAN CROSSING - SEE PD-04

50'-0"
30'-0" FROM TOP OF BANK
20'-0" (EXCLUDED)

20'-0" SEWER EASEMENT
25'-0" 20'-0" SEWER EASEMENT

75' WIDE GREENWAY EASEMENT - SEE NOTE 12 ON PD-02

THIS AREA EXCLUDED FROM PRIMARY TCA DUE TO EXISTING AND ONGOING USES (INCLUDING IMPERVIOUS SURFACES) PER N.C. ADMINISTRATIVE CODE SUBARTICLE 02B.0233.3.b

EXISTING PUBLIC ACCESS EASEMENT
POD A
POD D
POD A
POD D
POD A
POD D
POD A
POD D

PRIMARY TREE CONSERVATION AREA 100' MAX (50' AVERAGE)
PER SEC. 9.1 OF UDO

PD SUBMISSION 05/01/2018
PD SUBMISSION 01/06/2019
PD SUBMISSION 03/06/2019
PD SUBMISSION 05/28/2019
PD SUBMISSION 07/25/2019

TCA CALCULATIONS

DESCRIPTION
AREA (S.F.)
GROSS SITE AREA
408,223
REQUIRED TCA (10%)
40,822
THOROUGHFARE TCA PRIMARY (645' x 50')
REQUIRED TCA
32,250
PROPOSED TCA
32,250 MIN.
NEUSE BUFFER ZONE 2 TCA (PRIMARY)
REQUIRED TCA
11,585
PROPOSED TCA
11,585

TOTAL PROPOSED SF
(10.7% ALL PRIMARY)
45,125

NOTE:
1. TREE CONSERVATION AREAS ARE DEPICTED IN CONCEPT ONLY & ARE SUBJECT TO CHANGE BASED ON FINAL LAYOUT & ENVIRONMENTAL DETERMINATIONS. THE AMOUNT OF REQUIRED & PROVIDED TREE CONSERVATION MAY DIFFER FROM THAT SHOWN ON THIS PLAN BASED UPON A YET TO BE DETERMINED AMOUNT OF FUTURE RIGHT-OF-WAY TO BE DEDICATED.
2. COMPLIANCE WITH UDO 9.1 OF THE UDO WILL BE REQUIRED AT SITE PLAN OR SUBDIVISION. (WHICHEVER COMES FIRST)

SCALE: 1" = 50'

Copyright 2014 Lorcan O'Herlihy Architects. If Dwg is not 24" x 36", it is reduced.